

**AN ORDINANCE  
BY COUNCILMEMBER CLAIR MULLER**

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A SECTION 36-35-1 ET. SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 6, CHAPTER 1, SECTION 6-101 (f) TO PROVIDE THE CITY WITH THE DISCRETION TO CHARGE FRONT FOOTAGE FEES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") is responsible for the removal of garbage and solid waste from residential dwellings within the City limits; and

**WHEREAS**, Section 6-101 of the City Charter prescribes the general powers of taxation of the City; and

**WHEREAS**, a fee for solid waste as well as a per foot fee for paved and unpaved frontage is assessed against property owners in the City; and

**WHEREAS**, the City of Atlanta desires flexibility in assessing front footage fees against property owners.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:**

**SECTION 1:** That Article 6, Chapter 1, Section 6-101 (f) of the Charter of the City of Atlanta which reads:

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee shall be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment maybe levied against the lot for each house situated thereon.

Be hereby amended to read as follows:

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee may be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment maybe levied against the lot for each house situated thereon.

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Exhibit "A"

**"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"**

Notice is hereby given that an ordinance has been introduced to amend Section 6-101 (f) of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to provide the City with the discretion to charge front footage fees; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public. This \_\_\_\_ day of \_\_\_\_\_, 2006.

Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta